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Attorney Docket No. 5649.1123

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Jung et al.

Confirmation No.: 6569

Application No.: 10/650,415

Group Art Unit No.: 2812

Filed: August 28, 2003

For: **POST THERMAL TREATMENT METHODS OF FORMING HIGH  
DIELECTRIC LAYERS IN INTEGRATED CIRCUIT DEVICES**

Date: April 14, 2004

Office of Patent Legal Administration  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO ACCORD THE PROPER FILING DATE**

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of August 28, 2003 rather than August 29, 2003 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of August 28, 2003 being the correct filing date for the application which was properly filed under 37 C.F.R. § 1.10:

1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date on Page 3;
2. A true and accurate copy of the Express Mail Receipt marked by the United States Postal Service ("USPS") as a "date-in" or deposit date with the USPS of August 28, 2003 ; and
3. A true and accurate copy of our return post card and of the official filing receipt for this application, sent by the United States Patent and Trademark Office, showing that Applicant was improperly given the filing date of August 29, 2003 instead of the Express Mail date of August 28, 2003.

This petition is being filed promptly after Applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of August 28, 2003 as the filing date pursuant to 37 CFR § 1.10.

In re: Jung et al.  
Application No.: 10/650,415  
Filed: August 28, 2003  
Page 2

On the basis that Applicant properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicant's belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



Devin R. Jensen  
Attorney For Applicant  
Registration No. 44,805

**USPTO Customer No. 20792**  
Myers Bigel Sibley & Sajovec  
Post Office Box 37428  
Raleigh, North Carolina 27627  
Telephone: 919/854-1400  
Facsimile: 919/854-1401

**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Office of Patent Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 14, 2004.

  
Betty Lou Rosser



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

ATTY DOCKET NO.: 5649-1123

DATE: August 28, 2003

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER  
AND FEE TRANSMITTAL FORM (37 CFR 1.53(b))**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR 1.53(b) is:

- ☒ a patent application  
☐ a Continuation ☐ a Divisional ☐ a Continuation-in-Part (CIP)  
☒ and claims priority to Korean Patent Application No. 2002-54606, filed on September 10, 2002

Inventor(s) or Application Identifier:

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Daechi 3-dong, Gangnam-gu, Seoul  
Republic of Korea

COPY

Entitled: **POST THERMAL TREATMENT METHODS OF FORMING HIGH  
DIELECTRIC LAYERS IN INTEGRATED CIRCUIT DEVICES**

**Correspondence Address:**

**Customer Number 20792**

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Raleigh, NC 27627

Telephone: (919) 854-1400

Facsimile: (919) 854-1401

**Enclosed are:**

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 20 pages of Specification (including 31 claims)
3. ☒ 8 sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
  - a. ☒ newly executed (*original or copy*)
  - b. ☐ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below]
  - c. ☐ DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☐ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
7. ☐ Microfiche Computer Program (*Appendix*)
8. ☒ Assignment papers (*cover sheet(s) and document(s)*)
9. ☐ Applicant claims small entity status. See 37 CFR 1.27.
10. ☐ Information Disclosure Statement, PTO-1449, and \_\_\_\_\_ references cited
11. ☐ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
12. ☐ English Translation Document
13. ☐ Certified Copy of \_\_\_\_\_ Application No. \_\_\_\_\_ ; Filed
14. ☐ Sequence Listing/ Sequence Listing Diskette
  - a. ☐ computer readable copy
  - b. ☐ paper copy
  - c. ☐ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. ☐ Other:

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The fee has been calculated as shown below:

|   | Column 1<br>No. Filed | Column 2<br>No. Extra | Small Entity<br>Rate      Fee | Large Entity<br>Rate      Fee |
|---|-----------------------|-----------------------|-------------------------------|-------------------------------|
| BASIC FEE   |                       |                       | \$375.00                      | \$ 750.00                     |
| TOTAL CLAIMS  | 31 - 20 =             | 11                    | x 09 = \$0.00                 | x 18 = \$ 198.00              |
| INDEP CLAIMS  | 5 - 3 =               | 2                     | x 42 = \$0.00                 | x 84 = \$ 168.00              |
| <input type="checkbox"/> MULTIPLE Dependent Claims Presented              |                       |                       | + 140 = \$                    | + 280 = \$                    |
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☐ A check in the amount of \$0.00 to cover the filing fee is enclosed.

ATTY DOCKET NO.: 5649-1

DATE: August 28, 2003

- ☒ A check in the amount of \$1156.00 is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
- ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$\_\_\_\_\_ for the filing fee, PLUS the Assignment Recordation fee (\$40.00).
- ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
- b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,



Devin R. Jensen

Registration No. 44,805.

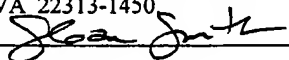
**CERTIFICATE OF EXPRESS MAILING**

"Express Mail" mailing label number: EV 353607250 US

Date of Deposit: August 28, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sloan Smith



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**MS Patent Application**  
Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

DRJ/ss

Date: 8-28-03

Doc. No. 5649-1123

Serial No. TBA

Inventor: Jung et al

09-08-03 A06: 42 IN

Sir: Kindly acknowledge receipt of the accompanying items listed below  
by placing your receiving stamp hereon and return mailing:

☒ Application Transmittal and:

☒ Specification pages 20

☒ No. of Claims 31

☒ Declaration & POA

☒ Assignment and Fee

☐ Small Entity Statement

☒ Formal Drawings/ 8 sheets

☐ Associate Power of Attorney

☒ Exp. Mail ☐ 1st Class Mail

Other: \_\_\_\_\_

☒ Check \$ 1156 -

☐ IDS & PTO-1449 & \_\_\_\_\_ refs.

☐ Amendment & Amend. Transmittal

☐ Preliminary Amendment

☐ Issue Fee

☐ Brief

☐ Appeal

☐ Submittal of Priority Doc.

Respectfully submitted,  
MYERS BIGEL SIBLEY & SAJOVEC, P.A.  
Attorneys for Applicant

22154 U.S. PTO

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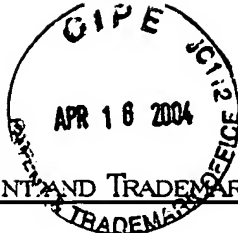


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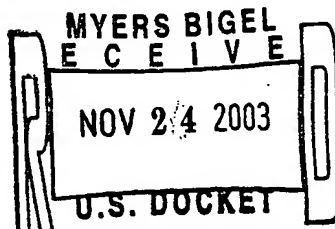


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| 10/650,415 | 08/29/2003                | 2812     | 1116          | 5649-1123       | 8        | 31       | 5        |

20792

MYERS BIGEL SIBLEY & SAJOVEC  
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CONFIRMATION NO. 6569

FILING RECEIPT



\*OC000000011326321\*

Date Mailed: 11/21/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Hyung-Suk Jung, Suwon-city, KOREA, REPUBLIC OF;  
 Nae-In Lee, Seoul, KOREA, REPUBLIC OF;  
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 Yun-Seok Kim, Seoul, KOREA, REPUBLIC OF;

**Domestic Priority data as claimed by applicant****Foreign Applications**

REPUBLIC OF KOREA 02-54606 09/10/2002

If Required, Foreign Filing License Granted: 11/20/2003

Projected Publication Date: 03/11/2004

Non-Publication Request: No

11-24-03 A09:57 IN

Early Publication Request: No

**Title**

Post thermal treatment methods of forming high dielectric layers in integrated circuit devices

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Preliminary Class

438

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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